

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-00245-MOC-WCM

ALIX E. NARDONE and  
BROOKE E. STARK,

Plaintiffs,

v.

ERIC EDEE,

Defendant.

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**ORDER**

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This matter is before the Court on Plaintiffs' Motion to Remand and Motion to Expedite Briefing and Ruling on Motion to Remand (the "Motion to Remand," Doc. 2).

To the extent the Motion to Remand requests that the Court set an expedited briefing schedule, the Motion is **DENIED**.

To the extent the Motion to Remand requests that the Court "remand this matter to State Court, and award costs, attorneys fees, and such other and further relief as the Court deems just and proper," Doc. 2 at 9, the Motion **REMAINS ACTIVE**.

In that regard, Defendant is **ADVISED** to review the Motion to Remand and supporting materials carefully. Defendant is **FURTHER ADVISED** that under the Local Rules his response is due by **September 15, 2023** and that if

he does not submit a response to the Motion by that deadline (unless it is extended), the Court may proceed to consider the Motion to Remand without hearing from him. Accord Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 1975); Carr v. Reece, No. 3:21-cv-00217-FDW-DCK, 2021 WL 5855646 at \*2, n. 1 (W.D.N.C. Dec. 9, 2021) (“[C]ourts routinely issue Roseboro notices for motions to dismiss, and the Court does so here.”).

Additionally, Defendant is directed to review the Federal Rules of Civil Procedure and this Court’s Local Rules and to endeavor to ensure that his response to the Motion to Remand is made in compliance with those rules.

It is so ordered.

Signed: September 7, 2023

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf  
United States Magistrate Judge

